

MEMO ENDORSED

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February 11, 2021

Hon. William H. Pauley, III
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v. Sunita Kumar*
Docket No.: 17-CR-703

Dear Judge Pauley:

I am retained counsel to defendant Sunita Kumar. I write to request that Ms. Kumar's conditions of release be modified to permit her to travel to Delhi, India for two weeks to visit her ailing mother, and that her passport be returned to her to allow her to travel for this limited purpose.

Ms. Kumar's mother is 78 years of age. She suffers from diabetes and high blood pressure. On December 25, 2020, she suffered a stroke. (*See Exhibit A*). She is paralyzed on the left side of her body, and is experiencing facial palsy, difficulty speaking, and other complications. (*See Exhibit A*). She was released from the hospital on January 11, 2021, with 24-hour nursing care. She remained completely bed-bound. (*See Exhibit B*). Earlier this week, her condition began to further deteriorate, and on February 9, she was re-admitted to the hospital, where she is currently in the ICU. (*See Exhibit C*). Her doctors are uncertain whether she will live much longer if she continues in this condition.

Ms. Kumar is seeking permission to travel to Delhi, India for two weeks to spend time with her mother. If permitted to travel, Ms. Kumar would stay at her family home, located at F-31 B, Laxmi Nagar, Delhi, India 110092. She would remain in contact with her pretrial services officer through WhatsApp on whatever schedule they require.

Further, Ms. Kumar's husband, Santosh Kumar, is prepared to surrender his passport to Pretrial Services as an additional surety if the Court permits Ms. Kumar to travel as requested. Upon her return from India, Ms. Kumar would immediately surrender her passport back to Pretrial Services.

We have conferred with the government, by AUSA Christopher DiMase, who takes no position on this request. We have also spoken with Pretrial Services Officer Robert Long from the Eastern District of New York, who supervises Ms. Kumar. After conferring with his colleagues in the Southern District of New York, he also takes no position on this request, although he indicated that Ms. Kumar has been compliant with all of the conditions of her release.

The Court's consideration is greatly appreciated.

Respectfully submitted,

/s/ Edward V. Sapone

Edward V. Sapone

Cc: AUSA Christopher DiMase, Esq.
PTSO Robert Long
PTSO Erin Cunningham

In view of the fact that neither the Government nor Pretrial Services has any objection to the defendant traveling to India prior to sentencing, this Court approves the defendant's proposed travel. The defendant is to comply with all COVID protocols with respect to said travel.

SO ORDERED:



WILLIAM H. PAULEY III
U.S.D.J.

February 12, 2021